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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MINNESOTA

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4)
5) Louis Gareis and Lillian) **VOLUME I**
6) Gareis,)
7) Plaintiff,) File No. 16-CV-4187
8) v.) (JNE/FLN)
9)
10) 3M Company and Arizant) May 15, 2018
11) Healthcare, Inc.,) Minneapolis, Minnesota
12) Defendant.) Courtroom 12W
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11 **BEFORE THE HONORABLE JOAN N. ERICKSEN**
12 **UNITED STATES DISTRICT COURT JUDGE**

13 **(JURY TRIAL - VOLUME 1)**

14 APPEARANCES

15 FOR THE PLAINTIFFS:

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GARY HANSEN - CROSS (CIRESI)

1 Q. Do you have it, sir?

2 A. I do.

3 Q. And have you reviewed that document before?

4 A. I do recall seeing it, yes.

5 Q. And in fact you reviewed it as part of your
6 investigation, didn't you?

7 A. Based on the date, I agree.

8 MR. CIRESI: We offer 1252, Your Honor.

9 MR. BLACKWELL: Objection. Rule 402, Your Honor.

10 THE COURT: Sustained.

11 MR. CIRESI: Your Honor, this is a document that
12 he reviewed during his investigation.

13 THE COURT: The objection is sustained.

14 BY MR. CIRESI:

15 Q. Did you learn at that time that, as you said, the Bair
16 Hugger was contraindicated for aortic cross clamp surgery,
17 correct?

18 A. At some point I learned that, yes. It was one of the
19 official contraindications for the product.

20 Q. And what does a "contraindication" mean?

21 A. A contraindication is a list of uses that you are not
22 supposed to use the product for.

23 Q. And that's because the risk outweighs the benefit,
24 correct?

25 A. That is presumably why it's a contraindication.